

FILED

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

MAR 14 2008

CLERK
U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA)

v.)

DAVID HAROLD STOKES)

CR. NO. 2:08CR 60-WHA
[18 USC 922(g)(3)]

INDICTMENT

The Grand Jury charges:

COUNT 1

On or about June 30, 2007, in Butler County, within the Middle District of Alabama,

DAVID HAROLD STOKES,

defendant herein, then being an unlawful user of, or addicted to, a controlled substance as defined in Title 21, United States Code, Section 802, did knowingly possess in and affecting commerce, a firearm, to-wit: a Remington, Model Sportsman 48, 12 gauge shotgun, a better description of which is unknown to the grand jury, in violation of Title 18, United States Code, Section 922(g)(3).

FORFEITURE ALLEGATION

A. Count 1 of this indictment is hereby repeated and incorporated herein by reference.

B. Upon conviction for the violation of Title 18, United States Code, Section 922(g)(3), as alleged in Count 1 of this indictment the defendant,

DAVID HAROLD STOKES,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924, and Title 28, United States Code, Section 2461(c), all firearms involved in the commission of this offense, including but not limited to the following:

A Remington, Model Sportsman 48, 12 gauge shotgun, a better

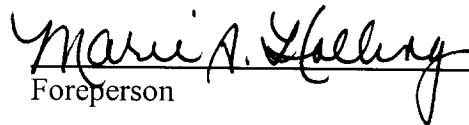
description of which is unknown to the grand jury.


C. If any of the property described in this forfeiture allegation, as a result of any act OR omission of the defendant:

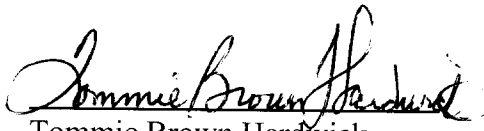
- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred, sold to, or deposited with a third person;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or,
- (5) has been commingled with other property which cannot be divided without

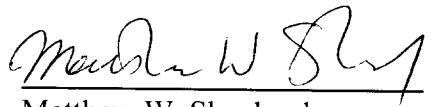
difficulty; the United States, pursuant to Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c), intends to seek an order of this Court forfeiting any other property of said defendant up to the value of the property described above, all in violation of Title 18, United States Code, Section 922(g)(3).

A TRUE BILL:


Foreperson


LEURA G. CANARY
UNITED STATES ATTORNEY


Tommie Brown Hardwick
Assistant United States Attorney


Matthew W. Shepherd
Assistant United States Attorney